

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY

DOCUMENT

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DATE FILED: DEC 08 2014

GIGI JORDAN,

Plaintiff,

v.

RAYMOND A. MIRRA, JR.,

Defendant.

Case No. 12-CV-1742 (KBF)

**JOINT STIPULATION TO TRANSFER  
VENUE OF THIS ACTION TO THE  
UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE  
PURSUANT TO 28 U.S.C. § 1404(a)**

WHEREAS, Plaintiff Gigi Jordan commenced the instant Action by filing a complaint on March 9, 2012, in the United States District Court for the Southern District of New York;

WHEREAS, the Court stayed this Action upon motion of the New York County District Attorney on May 17, 2012, pending further Order of the Court;

WHEREAS, on November 6, 2014, the Court issued a Memo Endorsement requesting the parties' views on whether the stay entered by the Court should be lifted immediately in light of the jury verdict in *People v. Gigi Jordan*, No. 621-10 (N.Y. Sup. Ct. 2010);

WHEREAS, Plaintiff Gigi Jordan and Defendant Raymond A. Mirra, Jr. are currently parties to an action pending in United States District Court for the District of Delaware before Judge Sue L. Robinson, captioned *The Hawk Mountain LLC, et al. v. Raymond A. Mirra, Jr., et al.*, C.A. No. 1:13-cv-02083-SLR-SRF ("the Delaware Action"), which was originally filed on December 23, 2013 and pleads violations of the Racketeer Influenced Corrupt Organization Act, 18 U.S.C. § 1962 *et seq.*;

WHEREAS, in response to the Court's November 6, 2014 Memo Endorsement, the parties requested that the present stay be lifted in order to permit both parties to file a joint motion to transfer venue of this action to the District of Delaware pursuant to 28 U.S.C. § 1404(a);

WHEREAS, the Court issued a Memo Endorsement on November 14, 2014, lifting the stay in this Action solely to permit the parties to submit a joint motion or stipulation to transfer venue of this Action to the District of Delaware;

WHEREAS, this Action and the Delaware Action overlap inasmuch as they involve common parties, and common legal and factual issues that concern many of the same contracts and transactions;

WHEREAS, the parties believe that transfer of this Action to the District of Delaware would avoid duplication of efforts by the Court and the parties, and facilitate consolidation of discovery with the Delaware Action, thereby serving the convenience of the parties and any witnesses by concentrating their costs and efforts in a single forum;

THEREFORE IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through their counsel, as follows:

1. Pursuant to 28 U.S.C. § 1404(a), the parties' consent that the Court hereby orders that this Action be transferred to the United States District Court for the District of Delaware.
2. All proceedings in this Action shall remain stayed, pending further Order of the transferee Court.

DATED: December 5, 2014

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*Attorney for Plaintiff Gigi Jordan*

SO ORDERED.

Dated: 12/8, 2014

  
Hon. Katherine B. Forrest  
United States District Judge *KBF*